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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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09/124,231 07/29/98 I INUMA

N 1046.1185/JD

EXAMINER

WM02/0130

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LANEALLER

ART UNIT

PAPER NUMBER

2674

DATE MAILED:

01/30/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/124,231

Applicant(s)
NOBUHARU IINUMA

Examiner
Ronald Laneau

Group Art Unit
2674



☒ Responsive to communication(s) filed on Dec 4, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-14 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-14 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Dec 4, 2000 is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2674

Response to Amendment

1. The amendment filed on 12/4/00 has been entered. Claims 9-14 are added and claims 1-14 are now pending.

Request for new non-final office action

2. All claims are clearly rejected under 35 USC § 102 in the Office action sent on 7/3/00 and the Office Action Summary (PTO-326) shows that claims 1-8 are rejected. The request for new non-final Office action is denied.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker (5,335,168).

As per claims 1 and 2, Walker teaches a computer system that has a monitor which can be powered down to conserve electrical power. The monitor has two power modes, normal power mode and low power mode. Upon receiving a signal from the CPU, the monitor switches between modes (see abstract), screen saver programs which usually remove the image on the screen of the

Art Unit: 2674

monitor after a period of inactivity and replace the image with a moving image that will not burn the screen (see col. 2, lines 43-47). Although, Walker does not show a memory means but it is inherent that the CPU (20) includes a memory for storing the screen saver and this memory is as well a data rewritable memory as claimed.

As per claim 3, Walker teaches a CPU which sends a signal to the display for transmission for the screen saver to be displayed if there is no activity for a period of time as claimed (see col. 2, lines 43-47).

As per claims 4 and 5, the CPU taught by Walker is able to process image data. Further, Walker teaches a computer system that has a monitor which can be powered down to conserve electrical power. The monitor has two power modes, normal power mode and low power mode. Upon receiving a signal from the CPU, the monitor switches between modes (see abstract), screen saver programs which usually remove the image on the screen of the monitor after a period of inactivity and replace the image with a moving image that will not burn the screen (see col. 2, lines 43-47). Although, Walker does not show a memory means but it is inherent that the CPU (20) includes a memory for storing the screen saver and this memory is as well a data rewritable memory. It is also capable of storing image data to send to the display screen as claimed.

As per claims 6 and 7, Walker teaches a computer system that has a monitor which can be powered down to conserve electrical power. The monitor has two power modes, normal power mode and low power mode. Upon receiving a signal from the CPU, the monitor switches between modes (see abstract), screen saver programs which usually remove the image on the screen of the

Art Unit: 2674

monitor after a period of inactivity and replace the image with a moving image that will not burn the screen (see col. 2, lines 43-47). Although, Walker does not show a memory means but it is inherent that the CPU (20) includes a memory for storing the screen saver and this memory is as well a data rewritable memory as claimed. If there is no activity from a user or no signal from the CPU to the display, the screen saver automatically is displayed on the display screen (see figures 2, 3).

As per claim 8, Walker teaches a CPU which sends a signal to the display for transmission for the screen saver to be displayed if there is no activity for a period of time as claimed (see col. 2, lines 43-47).

As per claim 9, see rejection of claims 6 and 7.

As per claim 10, see rejection of claims 1 and 4.

As per claim 11, see rejection of claim 5.

As per claims 12 and 13, see rejection of claim 2.

As per claim 14, see rejection of claim 4.

Response to Arguments

5. Applicant's arguments filed on 12/4/00 have been fully considered but they are not persuasive.

a. Applicant argues that his claimed invention is characterized by having a CRT controller which is independent from a personal computer. Contrary to applicant's arguments, Walker (5,335,168) teaches a computer system that has a monitor controller which can be powered down to conserve electrical power as claimed. Therefore, the rejection finally stands.

Art Unit: 2674

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. **Any response to this final action should be mailed to:**

BOX AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 305- 308-6606, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Art Unit: 2674

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA.,
Sixth Floor (Receptionist).


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (703) 305-3973. The examiner can normally be reached on Monday-Friday from 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Ronald Laneau

January 29, 2001



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600